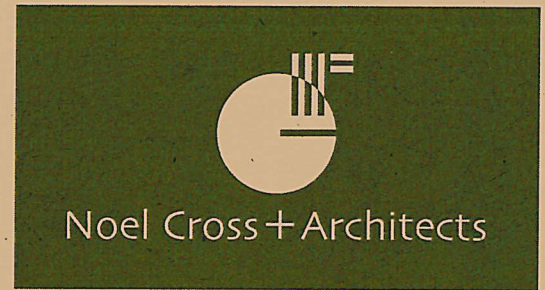


July 8, 2021

Development Review Committee
Town of Los Gatos Planning Dept.
110 East Main Street
Los Gatos, CA 95030



**RE: Modification of Subdivision Conditions of Approval
 o Happy Acres Road, Los Gatos, CA
 Original Application #PRJ-97-117**

SUBJ: Project Description/Justification Letter

To Whom It May Concern,

This letter is a petition to accept an alternative design in lieu of the cul-de-sac contemplated in the Conditions of Approval for a subdivision and Parcel Map recorded in Book 742 of Maps at Page 7 Santa Clara County Records on August 28, 2001. Included on the map was a dedication of right-of-way for a new cul-de-sac at the terminus of Happy Acres Road, a public street. Our request is that, instead of providing this cul-de-sac at the terminus of Happy Acres Road, to provide a similar cul-de-sac/fire department turnaround further up the private road. See attached drawings by Peoples Associates, Inc. dated 06-19-21.

Background -

In 1997, an application for a subdivision was submitted, the subdivision was approved with Conditions of Approval requiring a cul-de-sac at the terminus of Happy Acres Road and a fire department turnaround at the top of the private road. Through a number of reviews from 2001 through 2014 by the Los Gatos Planning Commission and CRWQCB, several appeals and hearings, the cul-de-sac was never approved, and the application expired. The original cul-de-sac at the terminus of Happy Acres Road required adding a culvert, and grading and paving over the drainage swale, which was unacceptable to the CRWQCB for environmental reasons. Other turnout options on the other side of the street (in order to avoid any work in the drainage swale) were proposed in 2010, but ultimately the neighbors objected, the appeal was denied, and the application eventually expired.

Proposed Solution -

We have been working closely with Erin Walters of the Los Gatos Planning Dept. and Mike Weisz in Engineering, for the past several months, and have been advised by the Town to propose an alternative to the originally conditioned cul-de-sac and turnaround. The attached civil drawings by People's Associates proposes a cul-de-sac/fire department turnaround further up the private road.

Justifications -

The private road up the hill to the subject property (o Happy Acres Road) passes through three other properties via a 40-foot wide egress/ingress right-of-way easement. The existing roadway paving is narrow, steep, and lined with mature trees. To the south and downslope of the roadway is the seasonal drainage swale. Our proposal seeks to widen the paving to 20 feet for the complete length of the roadway, the minimum required for Santa Clara County Fire Dept., plus re-grading the upper portion of the roadway to a maximum slope of 20% for a distance of 110 feet, and then finally providing a cul-de-sac turnaround at the top which meets the Fire Department's requirements for a max. 5% slope and turning radius as shown.

(continued next page)

This solution will be safer than the current situation for all of the neighbors whose properties are served by the current private roadway. It will remain a private road, but will be a much safer alternative than the existing roadway, where currently there is no safe place to turn around for either emergency vehicles or passenger cars who happen to travel up this road.

Neighbor Interaction -

Our clients have met several times with the immediate neighbor at 333 Happy Acres Road, the neighbor who will be the most impacted by the proposed roadway grading. Our clients will be meeting with the other two immediate neighbors (at 165 Happy Acres Road, and 160 Happy Acres Road), and will share these proposed roadway improvement plans with them. We expect nothing but the highest level of cooperation and support as the design process moves forward.

Conclusion -

After working closely with our clients, our engineer, the neighbors, and the Town Planning and Engineering Staff, we feel we have designed an alternative roadway solution that integrates quite well with the existing site/roadway, protects the natural features of the drainage swale and trees, and above all provides a significantly increased level of safety for the neighborhood. We feel this alternative plan should be approved by the Town, in lieu of the cul-de-sac envisioned in the original Conditions of Approval for the Subdivision, so that we may complete the subdivision approval started over 20 years ago, and move forward.

If you have any questions or need for further clarification please feel free to give our office a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Noel F. Cross', with a stylized flourish extending to the right.

Noel F. Cross
Architect AIA

cc: Fred & Fereshteh Toofan, Owners
Velimir Sulic, People Associates, Inc.
Barton Hechtman at Matteoni, O'Laughlin, & Hechtman Lawyers